

#12

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INTELLECTUAL PROPERTY LAW
INCLUDING PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION MATTERS

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SENIOR LAW CLERK

DANIEL P. CHERNOFF
(1935-1995)

July 1, 2004

Our File 7146.0084

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: United States Patent Application Serial No. 09/713,396
Entitled: WAVE PLATE MOUNTING
Inventor: Jagtar Singh Saroya
Filed: January 31, 2001

Dear Sir:

Enclosed for filing is a Petition for Revival of a Patent Application abandoned unintentionally under 37 U.S.C. 1.137 (b) along with our check for \$1,330 to cover required fees. Additionally, we enclose an Amendment in Response to the Office Action dated December 16, 2003 which includes a Petition for Extension of Time along with an authorization to charge deposit account 03-1550 for the required fee of \$950, and an acknowledgment postcard.

Please charge Deposit Account No. 03-1550 for \$950 regarding the Petition for a Three Month Extension of Time along with any additional required fees not covered. Additionally, please credit any overpayments to Deposit Account 03-1550. A duplicate copy of this letter is enclosed.

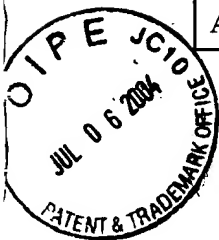
Respectfully submitted,


Kevin L. Russell

KLR:djs
Enclosures

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 U.S.C. 1.137(B)**

Docket No.
KLR 7146.0084



Applicant: Jagtar Singh Saroya

Group Art Unit: 2872

Serial No.: 09/773,396

Examiner: Alessandro V. Amari

Filed: January 31, 2001

Title: WAVE PLATE MOUNTING

RECEIVED

JUL 09 2004

OFFICE OF PETITIONS

July 1, 2004

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

✓ The above-identified application became abandoned for failure to timely file a response to the outstanding office action within the statutory period of three months from the mailing date of the Office Action dated December 16, 2003. The abandonment date of this application is March 17, 2004 (i.e. the day after the expiration date set for reply).

**APPLICANT HEREBY PETITIONS
FOR REVIVAL OF THIS APPLICATION**

1. Petition fee

- ☐ Small entity fee of \$____ (37 C.F.R. 1017(m))
☐ Small entity statement enclosed herewith.
☐ Small entity statement previously filed.
☒ Other than small entity fee \$ 1,330; (37 C.F.R. 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office Action in the form of an Amendment:

- ☐ has been filed previously on _____, and/or
☒ is enclosed herewith.

B. The issue fee of \$_____:

- ☐ has been paid previously on.
☐ is enclosed herewith.

PETITION TO REVIVE

07/08/2004 AWONDAF1 00000095 09733396

01 FC:1453

1330.00 OP

Adjustment date: 08/30/2004 ARELLEY
07/08/2004 AWONDAF1 00000095 09733396
01 FC:1453
-1330.00 OP
Adjustment date: 08/30/2004 ARELLEY
07/08/2004 AWONDAF1 00000095 09733396
02 FC:1801
-770.00 OP
08/30/2004 ARELLEY 00000010 09773356
01 FC:1453
1330.00 OP
02 FC:1801
770.00 OP

3. **Terminal disclaimer with a disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995 no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 C.F.R. 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. **Statement:**

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

Dated: July 1, 2004



Kevin L. Russell

Reg. No. 38,292

Chernoff Vilhauer McClung & Stenzel

1600 ODS Tower

601 SW Second Avenue

Portland, Oregon 97204

Tel. No. (503) 227-5631

Enclosures:

- ☒ Reply;
- ☒ Fee Payment: Petition to Revive \$1,330 enclosed in check;
- ☒ Fee Payment: Deposit Account Authorization for Extension \$950;
- ☒ Petition for Extension;
- ☒ Amendment in response to Office Action dated December 16, 2003;
- ☒ Petition to Revive; and an
- ☒ Acknowledgment Postcard.

CERTIFICATE OF UNDER 37 CFR §§ 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence was deposited with the United States Postal Service in an envelope addressed to:
The Director of Patents, P.O. Box 1450, Alexandria, VA 23313.

☒ with sufficient postage as first class mail

☐ as "Express Mail Post Office to Addressee" - mailing label no.

Date: July 1, 2004


Kevin L. Russell